

# EPA Region III

Office of Public Affairs

## EARLY BIRD HEADLINES

Tuesday, June , 2012

\*\*\* PM HOT LIST \*\*\*

### Study finds sea level rise accelerating along Atlantic coast

**BALTIMORE-SUN** (Saturday) PITTSBURGH — Three northeastern Pennsylvania families have reached a \$1.6 million settlement with a gas drilling company over contaminated water wells. But Jared MSea levels are rising faster along the Atlantic coast - including in the Chesapeake Bay - than elsewhere around the world, and the increase appears to be accelerating, according to federal scientists. In a paper published online in *Nature Climate Change*, the U.S. Geological Survey reports that sea level rise is increasing three to four times faster than globally along a heavily-populated 600-mile stretch of coast from Cape Hatteras, NC to north of Boston. Since 1990, the rise has increased 2 to 3.7 millimeters per year in the "hotspot," as the federal scientists call it, compared with a global increase of 0.6 to 1 millimeter per year. That hotspot includes the Chesapeake Bay, according to USGS oceanographer Asbury H. Sallenger, lead author of the report, who . "If you raise sea level across the mouth of the Chesapeake Bay, it's going to increase the overall level of the Chesapeake Bay," he said.

### Letter: Pollution, population growth threaten Chesapeake Bay While I

agree that chemicals and manure are major problems contributing to Chesapeake **BALTIMORE-SUN** Bay pollution, there are two additional concerns that should be addressed. One is the pollution associated with power mowers, leaf blowers and edgers. Most of these gasoline engines have little or no pollution controls. The second is the increasing population in the Chesapeake Bay watershed. During my lifetime, the population in Maryland has more than tripled, and homes and highways continue to reduce the efficiency of trees in cleansing the environment. I live in the Perry Hall area, and I no longer see grasshoppers, toads, turtles or even flies. The bees and butterflies are fewer in number, despite the presence of many flowers and plants. Are we breeding ourselves out of existence?

### Md. farmers are doing their share for Chesapeake Bay

**BALTIMORE-SUN** The recent commentary by representatives of Senior Scientists and Policymakers for the Bay regarding poultry waste regulations was wrong in many ways ("No more half-measures," June 18). They are correct that more people and their pollution will stress our environment. More people will reverse the progress that agriculture is making. The U.S. Environmental Protection Agency reports that agriculture has made tremendous progress in reducing nutrient contributions to the Chesapeake Bay. Urban and suburban sectors are getting worse. They are wrong to describe agriculture's programs as a "voluntary, collaborative approach." They imply that there are no Maryland rules for the proper use of animal manures and fertilizers, but they know better. Maryland's 1998 law created far-reaching requirements for farmers — among America's most restrictive. Ask any farmer. They are not "mostly voluntary" as claimed.

### Marcellus Shale Industry Again Denied in Act 13 Challenge

**CRANBURYPATCH** This time, the Supreme Court on Friday denied a request by Marcellus Shale industry representatives to be a party to the challenge against Act 13. The Supreme Court on Friday denied representatives from the Marcellus Shale industry the opportunity to participate in an appeal of the injunction against Act 13 filed by multiple municipalities, a doctor and a non-profit. The Public Utilities Commission and the state appealed the Commonwealth Court decision to grant an injunction in the case regarding the zoning portions of the law. Industry representatives had also asked the Commonwealth Court to be a party to the suit at the level of the proceedings. That was also denied. Senate President Pro Tem Joseph Scarnati and House Speaker Samuel H. Smith, also moved to intervene on behalf of the Legislature on appeal—as they did on at the Commonwealth level. No decision has been made on that matter as of Monday morning. All parties are still waiting for the Commonwealth Court’s decision regarding the constitutionality of Act 13, which was argued June 6.

## **Pipelines Irk PSD Officials**

**WHEELING INTELLIGENCER** Lagos: Workers disturbing waterlines. MOUNDSVILLE - As they install pipelines across Marshall County, some subcontractors working for Dominion Resources and other companies are creating a headache for George Lagos and his small staff of water department employees. As Dominion prepares to open its \$500 million natural gas processing complex later this year, the company needs the pipelines to help supply the Natrium plant. Dominion is not the only company installing pipelines in the county, as MarkWest Energy and other companies are also laying pipeline networks to establish a mode of transportation for the natural gas, oil, ethane, butane and propane drilling can extract from the Marcellus and Utica shale formations. However, Lagos said there are many instances when companies, such as Dominion, are not following the proper procedures when digging around the PSD's waterlines, exposing them to sunlight that could potentially cause bacteria to grow in residents' water.

## **Surface mine permit process advances despite work slowdowns**

**BLUEFIELD DAILY TELEGRAPH** Despite some citizen protest and concern, surface mining in Fayette County continues to move forward, with 2,162 total acres of pending surface mine permits potentially adding to the 12,704 acres already permitted but not yet released from bond. Many more thousands of acres have already been reclaimed and released. On Thursday evening, about a dozen locals attended an informal hearing regarding a significant revision to Frasure Creek Mining's Open Fork No. 2 permit, which nearly 100 citizens appealed last summer.

In February, the West Virginia Surface Mine Board upheld the permit's issuance. Eight official comments were given to the West Virginia Department of Environmental Protection at Thursday's hearing, all of which expressed concern and disapproval. Aimee Rist of Fayetteville was one of the citizens who commented at the hearing. "I'm concerned about this type of mining being linked to increased cancer rates, birth defects, and heart disease," she says. "This company, Frasure Creek, has falsified water quality records in Kentucky, so how do we know they are not doing that here?" Frasure Creek was sued this month by the Environmental Protection Agency over water quality issues in Kentucky.

## **Cardin, Mikulski Team Up to Save Funding for the Chesapeake Bay**

**POLITICALNEWS.ME** Washington, DC – U.S. Senators Ben Cardin and Barbara A. Mikulski (Both D-MD) voted in support of the Agriculture Reform, Food and Jobs Act, which benefits Maryland’s farmers and continues to provide a strong foundation for restoring the health of the Chesapeake Bay Watershed. Overall, the 2012 Farm Bill made over \$23 billion in spending cuts or more than double the agriculture cuts recommended by the Simpson-Bowles Commission. The bill passed the Senate 64-35.

“Farmers understand how valuable a healthy Chesapeake Bay is to our region and our nation. It’s why I fought to preserve the Chesapeake as a priority conservation region and did not stop until we received assurances that the Chesapeake Bay Watershed will receive ample support under the 2012 Farm Bill’s conservation programs,” said Senator Cardin, Chairman of the Senate Water and Wildlife Subcommittee. “Restoring the full health of the Chesapeake Bay requires coordination among all sectors in the region. I will continue to work hard to provide Maryland farmers with the resources they need to continue their responsible efforts to conserve the watershed.”

## **Coal-plant plunge threatens billions in pollution spending**

**FUEL FIX** The coal-fired power industry in the U.S. is facing the biggest plunge in asset values in a decade, risking billions of dollars in pollution-control spending by utilities such as Exelon Corp. (EXC) and American Electric Power Co. (AEP). An indication of how much new emissions rules and cheaper natural gas have hammered the value of coal-burning generation will come when Exelon announces the results of the first big sale of U.S. coal-fired power plants in four years. Exelon, the largest U.S. power company, may have to take a 40 percent discount for three Maryland plants it's seeking to sell by the end of August. Bidders including NRG Energy Inc. (NRG) have offered \$600 million to \$700 million for the units, which have a fair value of \$1 billion, said Travis Miller, Chicago-based director of utilities research for Morningstar Inc. "This is going to be the first meaningful transaction for coal assets since the downturn," Julien Dumoulin-Smith, a New York-based analyst with UBS AG, said in a phone interview. "You can get a little anxious about what the repercussions are."

### **\*\*\* MORNING HOT LIST \*\*\***

## **\$1.6M settlement in Pa. gas drilling lawsuit**

**ASSOCIATED PRESS** (Saturday) PITTSBURGH — Three northeastern Pennsylvania families have reached a \$1.6 million settlement with a gas drilling company over contaminated water wells. But Jared McMicken of Wyalusing said the agreement reached Thursday provides little comfort since his drinking water was ruined by nearby drilling, and his family must move. "We've lost our house, and we're not going to get out of it what we got into it," he said. "We have a bunch of people who have to leave their homes." The dispute with Oklahoma-based Chesapeake Energy began in 2010. Wyalusing is about 160 miles northwest of Philadelphia. McMicken said he and the other families in the case insisted that any settlement be made public. The arbitration trial began this week and was settled on the fourth day. Attorney Todd O'Malley said he believes this is the first case involving pollution in the Marcellus Shale region where settlement terms were publicly disclosed. Past disputes have been sealed. The Marcellus is a gas-rich rock formation thousands of feet under large parts of Pennsylvania, New York, Ohio and West Virginia. Over the past five years, advances in drilling technology made the gas accessible, leading to a boom in production, jobs, and profits - and a drop in natural gas prices for consumers. Chesapeake said in a statement that it believes there is no permanent damage to the properties and that other water wells in the area showed natural contamination before drilling began. McMicken disputed that, saying his water and that of his neighbors was fine before the drilling. Last year the Pennsylvania Department of Environmental Protection fined Chesapeake just over \$1 million for contaminating the water supplies of 16 families in the area, including McMicken's. A transcript of expert testimony in the settlement showed that experts from DEP agreed that faulty cement casings on the wells allowed gas and other substances to migrate from deep underground and pollute the water wells. "They screwed up all the wells on this mountain. Anybody that lives in this area, are going to pay the price over time," McMicken said.

## **Bay's 'dead zone' smaller this year so far**

**BALTIMORE SUN** (Sunday) The "dead zone" that forms every spring in the Chesapeake Bay is smaller than average so far this year, state officials report. Water sampling done in early June by the Department of Natural Resources found dissolved oxygen levels too low to be suitable for fish, crabs and shellfish in just 12 percent of the bay, according to the department's "Eyes on the Bay" website. That's well below the long-term average since 1985 of 17.1 percent of the Chesapeake experiencing low oxygen levels. It's also a dramatic improvement over last year, when a third of the bay's waters was starved of the oxygen that fish, crabs and shellfish need to breathe. Oxygen levels in the bay's deepest waters decline every spring as warming temperatures spur algae to grow, fed by the glut of nutrients in the water from sewage, fertilizer runoff and air pollution. Those thick algae blooms then consume the oxygen in the water as they die, sink to the bottom and decay. State scientists say favorable weather most likely is responsible for healthier bay water so far this year, just as unfavorable weather has been blamed for last year's record large dead zone. Drier, warmer conditions from February through April this year meant less pollution washed off the land to feed the algae growth, while wetter, cooler weather in late spring helped keep low-oxygen conditions from setting in. Last year,

by contrast, an extremely wet spring helped flush more nutrients into the water. The news about the bay's dead zone this year may come as a surprise in the Baltimore area, which recently experienced malodorous algae blooms and fish kills that stretched from the harbor south to Annapolis. But DNR's map of oxygen levels in the bay shows the worst conditions concentrated in the city's part of the Chesapeake. The "dead zone" typically grows through summer and reaches a peak in July or August. Last year, the winds of Hurricane Irene in late August mixed bay waters and dramatically shrank the dead zone. That improvement was short-lived, though, as the torrential rains of Tropical Storm Lee washed millions of tons of mud, sediment and nutrients into the bay, re-forming the dead zone, which then lasted unusually late into the fall.

## **County refuses to send the state its local Watershed Implementation Plan**

**CARROLL COUNTY TIMES** (Sunday) Unhappy with how the state has estimated the county's nutrient reduction requirements, Carroll County planning staff will not submit the county's local Watershed Implementation Plan to the Maryland Department of the Environment. Counties are required to develop a local plan with strategies that help the state reach its pollution mitigation goals to clean up the Chesapeake Bay and state waterways. The goal is to lower the amount of nitrogen and phosphorus getting into the state's waterways. Counties must submit their plans to the MDE by July 2. The Maryland Department of the Environment wants to work with the county so that the state can meet its water quality goals. "If the county does not submit a plan, MDE will assume Carroll County will implement standard strategies from the state plan that will meet our statewide water quality goals," said MDE spokeswoman Samantha Kappalman. "If no progress is made to implement the strategies, then MDE can begin to look at some of the permits under its legal authority for ways to encourage the county to implement those strategies." The U.S. Environmental Protection Agency has said that if the state does not meet its water quality goals, it would impose consequences which will affect federal permits that the state issues, such as wastewater, stormwater and animal feeding operations, Kappalman said. The Maryland Watershed Implementation Plan rose out of the creation of the Chesapeake Bay Total Maximum Daily Load, a pollution diet imposed by the EPA. To achieve the TMDL would require sweeping actions by the state to restore clean water to the Chesapeake and the region's streams, creeks and rivers. As a result, the state created the Maryland Watershed Implementation Plan, Kappalman said. The first phase set milestones for the state to meet, which would be enforced by the EPA. The state set two-year milestones to meet its target of making significant reductions of nitrogen and phosphorus by 2020, five years earlier than the EPA planned for all bay watershed jurisdictions.

## **Commentary: Stick to fracking science, not the politics**

**PITTSBURGH TRIBUNE-REVIEW** (Saturday - By Congressman Mark S. Critz) At a recent U.S. Senate Appropriations Committee hearing, Environmental Protection Agency Administrator Lisa Jackson justified the agency's "desire to do additional science around hydraulic fracturing ... because the public's trust in that technology we believe is also based on the belief that we are looking to bring the very best science to bear, to ensure that it remains safe." While no one would argue with the importance of ensuring safety in responsible shale-gas development, recent missteps and questionable actions by the EPA have regrettably cast doubt upon the agency's credibility and ability to put forth the "best science" to ensure the public's trust. In addition to last month's embarrassing resignation of the EPA's Region 6 administrator for subjectively placing a bull's-eye on the oil and gas industry, the EPA also has shown an anti-gas bias in Pennsylvania with its attempts to torpedo the proposed MARC 1 Pipeline after the project gained approval from the federal Energy Regulatory Commission. As a result, there is mounting concern that EPA officials are committed to political agendas instead of looking out for the overall best interests of the public. Additionally, the EPA recently dropped a case in Texas against a company wrongly accused of polluting water wells because of a lack of clear scientific evidence and agreed to retesting water in Wyoming after its methods were questioned. And on top of this, the EPA recently announced that after conducting its own analysis of drinking water in Dimock, a Pennsylvania town that has become one of the focal points in the hydraulic fracturing debate, no wells with unsafe levels of contamination were tied to hydraulic fracturing. Fortunately for the American public, EPA's premature conclusions and questionable actions have forced the agency to re-evaluate allegations that hydraulic fracturing has been responsible for environmental contamination. However, the bad news is that through

all of this controversy and misinformation on hydraulic fracturing and shale gas, the public has been left holding the bag” with tremendous confusion and concern about the real facts in this debate.

## **Romney gets greenbacks to become more green**

**CUMBERLAND TIMES-NEWS** ROMNEY, W.Va. The city of Romney will use a \$25,000 Green Streets-Green Jobs-Green Towns grant to separate its storm water from sewage, according to Mayor Dan Hileman. The initiative comes from the Chesapeake Bay Trust, U.S. Environmental Protection Agency and the state of Maryland. The storm water management project will be installed along U.S. Route 50 west of the center of town, according to Hileman. The project will dispose of storm water without going into the sewage; instead the water is absorbed back into the earth through natural circulation. “This grant is a wonderful opportunity for us to create a natural system that doesn’t require any power or energy,” said Hileman, who noted that this is the first project of this nature that the city has participated in. “It’s going to be a nice project.” The project is based on research that was done in conjunction with the Maryland Department of the Environment, according to Hileman. A total of 10 recipients have been awarded \$376,000 in grant funding in Virginia, Pennsylvania and Maryland. Romney was the only city in West Virginia chosen to receive the grant, according to a news release. The grant recipients were chosen for their innovative green infrastructure and best management practices to improve the overall health of local communities while promoting enhanced livability and creating green jobs, according to the release. “Green streets and green infrastructure are investments that create jobs and save money while also providing multiple environmental and quality of life benefits,” EPA Regional Administrator Shawn Garvin told the Chesapeake Bay News. The grant program was open to local governments and nonprofit organizations in urban and suburban watersheds in the Chesapeake Bay region that were interested in pursuing green streets, green infrastructure and green jobs as part of their community planning. Grant assistance was available for green infrastructure project planning and design, as well as implementation and construction, according to the release.

## **Local planners trying to stay proactive with bay restoration effort**

**CUMBERLAND TIMES-NEWS** (Saturday) CUMBERLAND Two goals top the priority list for Allegany County’s portion of the Chesapeake Bay pollution diet. Planners want to demonstrate the county’s progress in helping clean up the bay and avoid designation as a county needing stricter regulation to control pollutants feeding into the bay. Stricter regulations could mean expensive storm water management projects, among other things. Angie Patterson, a county land use and planning engineer, updated county commissioners at their work session last week on the county’s final draft of a Watershed Implementation Plan. “We don’t have to do that and we don’t want to fall into that category,” Patterson said. Patterson is in charge of coordinating Allegany County’s response to, and implementation of, the total daily maximum load (TDML) requirements issued by the U.S. Environmental Protection Agency and Maryland Department of the Environment. She works with a committee including county and municipal officials along with other members. A draft of the county’s plan was submitted in November and the county received comments back from Maryland Department of the Environment officials resulting in some minor changes to the plan. Patterson said some good news arrived in the form of deadlines being pushed back and a new calculation of credits the county can receive for progress in implementing the plan. The deadline for full implementation was pushed back from 2020 to 2025, Patterson said. The county also has been doing a good bit of streams restoration, and the credits that county gets for that have increased. “They’re good with our plan,” Patterson said. “We need to be proactive,” Patterson said. TDMLs are “an estimate of the maximum amount of an impairing substance or stressor (pollutant) that a water body can assimilate without violating water quality standards,” according to the Maryland Department of the Environment.

## **County readies new air quality code**

**PITTSBURGH POST-GAZETTE** 2 years in making, guidelines aimed at new industries. Twenty-four years after Allegheny County's first attempt to control toxic industrial air pollutants, a county Board of Health committee has agreed on more protective, public health-based guidelines. The proposed guidelines would be used to evaluate the human health impacts of toxic emissions from new or significantly modified industrial sources. Existing

sources would not be subject to the guidelines but their emissions would be factored into health risk calculations based on cumulative impact of all air toxics emissions. The five-page air toxics policy document, produced after two years of meetings and compromise by a 22-member ad hoc committee of industry, environmental and regulatory representatives, will be offered for adoption at the Health Board's meeting July 11. Joe Osborne, legal director for the Group Against Smog and Pollution and a member of the committee, said the new policy mandates use of the best available information about toxic chemical exposure and takes into account cumulative impacts of multiple exposures to protect public health. "We need to wait and see how it works in practice, but I think the proposed policy is a good work product," Mr. Osborne said. "The process included people of different perspectives who came in and worked hard to both produce something we could all agree on, and that also protects the health of Allegheny County residents." "Air toxics" are defined in the policy as pollutants that can cause cancer or other serious health effects, including reproductive problems, birth defects, respiratory illnesses or neurological problems, or emissions that "cause adverse environmental effects that are predictive of adverse human health consequences."

## **Sea rising faster on East Coast than rest of globe**

**ASSOCIATED PRESS** WASHINGTON -- From Cape Hatteras, N.C., to just north of Boston, sea levels are rising much faster than they are around the globe, putting one of the world's most costly coasts in danger of flooding, government researchers report. U.S. Geological Survey scientists call the 600-mile swath a "hot spot" for climbing sea levels caused by global warming. Along the region, the Atlantic Ocean is rising at an annual rate three times to four times faster than the global average since 1990, according to the study published Sunday in the journal *Nature Climate Change*. It's not just a faster rate, but at a faster pace, like a car on a highway "jamming on the accelerator," said the study's lead author, Asbury Sallenger Jr., an oceanographer at the agency. He looked at sea levels starting in 1950, and noticed a change beginning in 1990. Since then, sea levels have gone up globally about 2 inches. But in Norfolk, Va., where officials are scrambling to fight more frequent flooding, sea level has jumped a total of 4.8 inches, the research showed. For Philadelphia, levels went up 3.7 inches, and in New York City, it was 2.8 inches. Climate change pushes up sea levels by melting ice sheets in Greenland and west Antarctica, and because warmer water expands. Computer models long have projected higher levels along parts of the East Coast because of changes in ocean currents from global warming, but this is the first study to show that's already happened. By 2100, scientists and computer models estimate that sea levels globally could rise as much as 3.3 feet. The accelerated rate along the East Coast could add about 8 inches to 11 inches more, Sallenger said. "Where that kind of thing becomes important is during a storm," Sallenger said. That's when it can damage buildings and erode coastlines.

## **Special Report: Coal-Fired Power Plants at a Crossroads**

**BNA DAILY ENVIRONMENT REPORT** Coal-fired power plants are at a crossroads.

Utilities are facing economic and regulatory pressures that make it nearly impossible for some of the oldest coal plants to continue operating, and it remains an open question whether any new coal-fired units will be built. The pressure is coming from the domestic boom in low-cost natural gas tied to hydraulic fracturing and from a series of environmental regulations that will require coal-fired utilities to make substantial investments in pollution controls. BNA begins a five-part series today that looks at the state of coal-fired power, the economic and regulatory influences on the electricity sector, and the future for coal.

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# **PENNSYLVANIA**

## **PHILADELPHIA INQUIRER**

**From Early Bird** Chesapeake to settle for \$1.6M (Saturday) Chesapeake Energy will pay \$1.6 million to settle allegations that its Marcellus Shale drilling caused methane to leak into the drinking-water wells of three homes in Northeastern Pennsylvania. The Oklahoma City gas producer will buy the homes as part of the settlement. The settlement was reached Thursday while the case was before an arbitration panel in Philadelphia. Chesapeake in 2011 paid \$900,000 in fines to the Pennsylvania Department of Environmental Protection for allowing gas to contaminate the water wells of

16 Bradford County homes, including the three on Paradise Road that settled this week. DEP investigators blamed poor casings in Chesapeake's wells for allowing gas to migrate. Chesapeake admitted no wrongdoing. Chesapeake installed treatment systems for the water wells, but the owners of the three homes were unsatisfied. "The company believes there is no permanent damage that would prevent a future sale, enabling Chesapeake Appalachia to recoup a significant portion of the settlement," the company said in a statement Friday.

From Early Bird Stronger vinegar for greener cleaning When Molly Rouse-Terlevich, a Bryn Mawr mother of two, goes to clean the kitchen counter, she reaches for a spray bottle. In it is a solution of half water, half white vinegar. When she cleans the floor, same stuff. The bathroom, same stuff. She runs vinegar through the dishwasher to reduce the buildup from hard water, and adds it to especially dirty loads of laundry. And she's been at it for several years. "We use it for virtually everything except the cleaning that would require slightly more grit," she said. Which is when they add baking soda. I've been thinking about vinegar because Heinz has come out with a stronger version of its white distilled vinegar. They're calling it "cleaning" vinegar. Instead of having 5 percent acetic acid, it has 6 percent, which boosts the strength by 20 percent. After making vinegar for more than 140 years, what a marketing brainstorm! The company manufactures more than 7.5 million gallons of vinegar annually for American households, according to its website. Although our grandmothers and great-grandmothers knew about cleaning with vinegar, I'm sure most of the sales are culinary. So adding a dedicated cleaning category opens up a vast realm. Still, uh, does it work, or is this greenwashing? And doesn't this suggest the old 5-percent solution didn't work as well as purported? Answering the first question will take a new raft of peer-reviewed studies on the matter, adding to those on regular white vinegar.

From Early Bird Howling success? Philly gets a few more spokesdogs Congrats to Joey Bag-o-Donuts. And Scooter. Both are the newest spokesdogs in the Philadelphia Water Department's campaign to get dogs to teach humans how to handle canine waste: pick it up and put it in the trash or the toilet. Don't leave it on the street to be washed by the next rainfall into area rivers, which are the city's water supply. Scooter is the new Northern Liberties rep. He lives with Julia Vu and Gary Acers. A 35-pound schnauzer-beagle mix, he loves to wrestle with German shepherds. He can run faster than the big dogs, and he has an impressive cut-back. His dream -- other than for world peace -- is "more parks for all and more biscuits for dogs!" Joey is Queen Village's rep. He lives with Ellie Gibbard. A 32-pound Shiba Inu, Joey's favorite snack is, appropriately enough, Greenies. Gibbard reports that Joey is "Joey is a master of commands. He can sit, lay down, give paw, high five, spin, take a bow, speak, and roll-over." Also, he's "a world-class snuggler. He would rather be snuggling than doing anything else in the world." And how DID he get that name? I'll bet he ate the whole bag. Sponsors of the program include the Northern Liberties Neighbors Association, Partnership for the Delaware Estuary, Philadelphia Water Department, and the Queen Village Neighbors Association.

## **PITTSBURGH POST-GAZETTE**

From Early Bird Aither Chemicals LLC building W.Va. cracker plant The second major petrochemical facility planned for servicing gas from the Marcellus Shale region appears to be headed to West Virginia. Aither Chemicals LLC announced Friday it was taking the first steps toward building an ethane cracker plant in the Kanawha Valley region near Charleston, W.Va. The project is estimated to cost up to \$750 million. The firm is working with Bayer MaterialScience LLC of New Martinsville, W.Va., to determine whether enough energy firms are interested in supplying the plant with gas to warrant construction. Bayer property in the Kanawha Valley, about 220 miles south of Pittsburgh, is being evaluated for the site. South Charleston-based Aither had also been scouting locations in Pennsylvania and Ohio, and has said it wants a location with access to ethane and accessible by boat, rail and road. The company's "open season" on gauging market interest is expected to run until July 20, with construction possibly beginning in early 2015. Midstream companies that process gas often use an "open season" to test market viability before beginning construction. In Aither's case, the company wants to see if there are enough natural gas producers in the area willing to supply ethylene and other extracted gases for processing at the plant.

From Early Bird County readies new air quality code 2 years in making, guidelines aimed at new industries. Twenty-four years after Allegheny County's first attempt to control toxic industrial air pollutants, a county Board of Health committee has agreed on more protective, public health-based guidelines. The proposed guidelines would be used to evaluate the human health impacts of toxic emissions from new or significantly modified industrial sources. Existing sources would not be subject to the guidelines but their emissions would be factored into health risk calculations based on cumulative impact of all air toxics emissions. The five-page air toxics policy document, produced after two years of



meetings and compromise by a 22-member ad hoc committee of industry, environmental and regulatory representatives, will be offered for adoption at the Health Board's meeting July 11. Joe Osborne, legal director for the Group Against Smog and Pollution and a member of the committee, said the new policy mandates use of the best available information about toxic chemical exposure and takes into account cumulative impacts of multiple exposures to protect public health. "We need to wait and see how it works in practice, but I think the proposed policy is a good work product," Mr. Osborne said. "The process included people of different perspectives who came in and worked hard to both produce something we could all agree on, and that also protects the health of Allegheny County residents." "Air toxics" are defined in the policy as pollutants that can cause cancer or other serious health effects, including reproductive problems, birth defects, respiratory illnesses or neurological problems, or emissions that "cause adverse environmental effects that are predictive of adverse human health consequences."

## **PITTSBURGH TRIBUNE REVIEW**

From Early Bird Commentary: Stick to fracking science, not the politics (By Congressman Mark S. Critz) At a recent U.S. Senate Appropriations Committee hearing, Environmental Protection Agency Administrator Lisa Jackson justified the agency's desire to do additional science around hydraulic fracturing ... because the public's trust in that technology we believe is also based on the belief that we are looking to bring the very best science to bear, to ensure that it remains safe. While no one would argue with the importance of ensuring safety in responsible shale-gas development, recent missteps and questionable actions by the EPA have regrettably cast doubt upon the agency's credibility and ability to put forth the best science to ensure the public's trust. In addition to last month's embarrassing resignation of the EPA's Region 6 administrator for subjectively placing a bullseye on the oil and gas industry, the EPA also has shown an anti-gas bias in Pennsylvania with its attempts to torpedo the proposed MARC 1 Pipeline after the project gained approval from the federal Energy Regulatory Commission. As a result, there is mounting concern that EPA officials are committed to political agendas instead of looking out for the overall best interests of the public. Additionally, the EPA recently dropped a case in Texas against a company wrongly accused of polluting water wells because of a lack of clear scientific evidence and agreed to retesting water in Wyoming after its methods were questioned. And on top of this, the EPA recently announced that after conducting its own analysis of drinking water in Dimock, a Pennsylvania town that has become one of the focal points in the hydraulic fracturing debate, no wells with unsafe levels of contamination were tied to hydraulic fracturing. Fortunately for the American public, EPA's premature conclusions and questionable actions have forced the agency to re-evaluate allegations that hydraulic fracturing has been responsible for environmental contamination. However, the bad news is that through all of this controversy and misinformation on hydraulic fracturing and shale gas, the public has been left holding the bag with tremendous confusion and concern about the real facts in this debate.

## **POCONO RECORD**

From Early Bird Home builder Toll Brothers pays for shoddy practices (Saturday) Home builder Toll Brothers Inc. will pay a \$741,000 civil penalty for allegedly violating the Clean Water Act at 600 developments nationwide, including three in Middle Smithfield Township. The consent agreement negotiated by the U.S. Environmental Protection Agency, U.S. Justice Department and authorities in Maryland and Virginia includes water pollution violations at Country Club of the Poconos, Estates at Great Bear and Reserve at Pond Creek. Also cited was Milford Highlands in Pike County. Toll Brothers also will invest in a company-wide stormwater compliance program to improve employee training and increase management oversight at all current and future residential construction sites across the nation. The company is required to inspect its current and future construction sites routinely to minimize stormwater runoff. Toll Brothers, based in Huntington Valley, clear-cut hundreds of acres of woods early last decade before building townhouses and single-family luxury homes at the Middle Smithfield developments. It resulted in runoff of silt and debris into nearby streams and properties. Township officials said at the time they were caught off-guard by clear-cutting on the north side of Country Club of the Poconos, not realizing that was how the builder cleared land. The Monroe County Conservation District fined Toll Brothers \$30,000 in 2004 for erosion violations, the maximum fine allowed under state law. Polluted stormwater runoff and sediment from construction sites, including construction materials, can flow directly into the nearest waterway, affecting drinking water quality and damaging aquatic habitats. Cynthia Giles, assistant administrator for EPA's Office of Enforcement and Compliance and Assurance, said the settlement "will improve oversight of stormwater runoff at construction sites across the country and protect America's waters."



## **STATE COLLEGE CENTRE DAILY TIMES**

From Early Bird Studying the Marcellus Shale: Researchers develop collaborative tool for water quality data Scientists with federal and state agencies, academic researchers, environmental consultants and watershed group volunteers have collected water quality data for years as part of efforts to monitor the health of Pennsylvania's waterways. However, while there is virtually a deluge of water-quality data, much of it has never been incorporated into a sustainable database accessible to both researchers and the public. That has just changed. A new database that channels available water quality data into a searchable format recently was demonstrated at the ShaleNetwork 2012 workshop at Penn State's University Park campus. The workshop was part of the ShaleNetwork, a multi-institutional initiative funded by National Science Foundation to track potential impacts of gas shale activity, including that of the largest source of natural gas in the United States, the Marcellus Shale. The purpose of the event was to encourage participants to use and contribute data to a growing database of water quality for regions of shale gas development. "Our goal is to create a database of water quality and quantity that will be helpful in decision making because the more data that are available, the better decisions that can be made," said Susan Brantley, principal investigator for the ShaleNetwork and director of the Penn State Earth and Environmental Systems Institute. "The power of data is in sharing." Interest in sharing water quality data was common among the 41 workshop participants, who represented a mix of academic institutions, nonprofits, watershed groups, the environmental industry and country, state and federal agencies. "With more information, we will be able to see patterns and anomalies in stream health," said Ann Donovan, with the Centre Country Conservation District, who works with monitoring teams for the Beech Creek watershed. Besides making hard-to-find data publicly available, the database also holds the promise of making data collection more consistent. Establishing protocols will ensure data quality, as will putting data online for scrutiny, Brantley said. Read more here: <http://www.centredaily.com/2012/06/24/3240040/marcellus-shale.html#storylink=cpy>

Read more here: <http://www.centredaily.com/2012/06/22/3238680/16m-settlement-in-pa-gas-drilling.html#storylink=cpy>

## **TOWANDA DAILY REVIEW**

From Early Bird Marcellus Shale Business Expo attracts thousands TROY - The sun was shining; blue sky dominated what few clouds there were. The heat that had everyone in Bradford County turning on all of their fans and air conditioners had finally subsided and gave way to a warm, breezy atmosphere. It was the perfect day for an expo. That's what happened at Alparon Park in Troy on Saturday, June 23. The Northern Tier Marcellus Shale Business Expo held its third year and featured 240 businesses from all parts of the country, multiple seminars, sophisticated natural gas equipment, raffles and lots of food and refreshments. "We've had a great turnout, easily between 1,000 and 2,000 people," said Lauren Hotaling, countywide economic development manager for the Progress Authority. "The weather was great, the feedback we've received so far has been positive. Even third-year exhibitors have said they're glad that they've continued to come here." Exhibitors were extensively varied throughout the expo, ranging from heavy equipment dealers to wildlife experts to woodworking companies. "We'll build anything if it's made out of wood," President of Woodworking Industries Jack Campbell said. "The housing units used on drilling sites have unique needs. We can build bunk beds and cabinets, for example, specifically designed for the gas companies since they need to be a certain size and still strong enough to accommodate full grown men."

From Early Bird Pros and cons of drilling are brought to the table in Owego The second batch of 1,000 signatures were presented to the Town of Owego Board on June 19, 2012 by Residents Against Fracking Tioga, or RAFT. Speaking for the grassroots organization, Geri Wiley said that 69 percent of the 2,900 residents contacted in a door to door petition drive by RAFT members had voiced opposition to hydraulic fracturing in the Town of Owego. RAFT is calling for at least a temporary fracking moratorium in the town. Residents from the town packed the meeting room on Route 434 in Owego to voice their opinion about fracking. The issue has taken on new life after rumors of allowing fracking in economically distressed counties in the Southern Tier was reported by the New York Times last week, including Tioga County. Those for and against fracking are entrenched in their beliefs, making any action - for, against, or none at all - taken by Town Supervisor Don Castellucci and the board fraught with political landmines. Owego Free Academy graduate and landowner Joanne Shrauger spoke one position held by many fracking supporters when she addressed the board. Shrauger said she opposes a ban on fracking in the town, and that she should have the right to do as she wants on her property. Judy Bjorkman voiced the concerns for natural resources of many opponents of fracking when she said there is only one aquifer for the region, the Clinton Street-Ballpark Valley System, which provides drinking water for

everyone. "Fracking fluid contamination of our sole source aquifer cannot be cleaned up," Bjorkman said. Dr. Mike Tunick wanted to ask the board and Castellucci questions, but the Supervisor said that the board was in the process of taking in information about fracking, and that when the board was closer to taking action there would be an opportunity for residents to have a discussion with their representatives. Wiley said that while she felt there had been a good exchange with the board to this point, there were many people who are asking for answers from the town leadership. She hoped that the board would find an avenue for discussion soon.

## **STATE IMPACT PENNSYLVANIA**

From Early Bird OSHA Issues Hazard Alert to Frackers (Friday) The Labor Department issued a warning to workers in the natural gas industry who come in contact with silica to take precautions against continued exposure. A main ingredient of frack fluid is sand, or crystalline silica, which can cause silicosis in people who breathe it in. The bulk of exposure occurs when the sand is trucked and transferred. The National Institute for Occupational Safety and Health took air samples at frack sites in five states, including Pennsylvania.

From Early Bird Philadelphia to Force Large Property Owners to Post Energy Use (Friday) Philadelphia City Council followed in the footsteps of cities like Washington D.C., New York City and San Francisco on Thursday when it passed "energy benchmarking" legislation. The measure requires commercial building owners with more than 50,000 square feet to record their yearly water and energy usage in a publicly accessible database. Think of it as peer pressure to reduce energy consumption. Councilwoman Blondell Reynolds Brown introduced the legislation and describes the bill's purpose in a release.

From Early Bird As Shell Works To Stop Methane, Neighboring Farmer Worries About His Cows (Friday) If you go looking for evidence of Shell's methane migration problem in Tioga County, as StateImpact did today, you won't be able to see the 30 foot geyser of water and natural gas. First, the flow has been reduced to a few feet over the course of the last week. Second, the company has blocked off access to the site. What you can see, though, are the large, loud flares burning off gas at nearby pads. They're part of an effort to reduce underground pressure and bring methane leaks under control. "We're seeing that brings down" it depressurizes "the gas that could be contributing to migration in the immediate area," said Shell spokeswoman Kelly op de Weegh.

## **ASSOCIATED PRESS (Pa.)**

From Early Bird \$1.6M settlement in Pa. gas drilling lawsuit (Saturday) PITTSBURGH "Three northeastern Pennsylvania families have reached a \$1.6 million settlement with a gas drilling company over contaminated water wells. But Jared McMicken of Wyalusing said the agreement reached Thursday provides little comfort since his drinking water was ruined by nearby drilling, and his family must move. "We've lost our house, and we're not going to get out of it what we got into it," he said. "We have a bunch of people who have to leave their homes." The dispute with Oklahoma-based Chesapeake Energy began in 2010. Wyalusing is about 160 miles northwest of Philadelphia. McMicken said he and the other families in the case insisted that any settlement be made public. The arbitration trial began this week and was settled on the fourth day. Attorney Todd O'Malley said he believes this is the first case involving pollution in the Marcellus Shale region where settlement terms were publicly disclosed. Past disputes have been sealed. The Marcellus is a gas-rich rock formation thousands of feet under large parts of Pennsylvania, New York, Ohio and West Virginia. Over the past five years, advances in drilling technology made the gas accessible, leading to a boom in production, jobs, and profits - and a drop in natural gas prices for consumers. Chesapeake said in a statement that it believes there is no permanent damage to the properties and that other water wells in the area showed natural contamination before drilling began. McMicken disputed that, saying his water and that of his neighbors was fine before the drilling. Last year the Pennsylvania Department of Environmental Protection fined Chesapeake just over \$1 million for contaminating the water supplies of 16 families in the area, including McMicken's. A transcript of expert testimony in the settlement showed that experts from DEP agreed that faulty cement casings on the wells allowed gas and other substances to migrate from deep underground and pollute the water wells. "They screwed up all the wells on this mountain. Anybody that lives in this area, are going to pay the price over time," McMicken said.

## **ALTOONA MIRROR**

Senate vote zaps coal plants (Friday) Coal-fired power plants and the relative cheap electricity they provide soon might

be endangered - but unprotected - species after a Senate vote this week. Senate Republicans failed to get enough support on Wednesday to force a vote on a measure to prevent the Environmental Protection Agency from imposing new rules on mercury and other toxic emissions, which primarily affect coal-fired power plants. Sen. Pat Toomey, R-Pa., voted with 45 others for the measure to block the EPA rules. Sen. Robert Casey Jr., D-Pa., sided with 52 colleagues to allow the EPA rule to go into effect. Annually, coal supplies 48 percent of the electric generated in Pennsylvania and 42 percent nationally. But that number is expected to drop dramatically in the coming years, in part because of the EPA's new rules on mercury emissions.

## **SCRANTON TIMES-DISPATCH**

### Local companies drill into natural gas industry

Natural gas extraction is helping to enable a Scranton ammunition plant to aim for different business objectives. General Dynamics Ordnance and Tactical Systems makes swivel elbow and drill-pipe connecting joints used at the region's Marcellus Shale gas wells. "They definitely are making up a meaningful part of our business at this point," said Jeff Brunozzi, vice president of operations at General Dynamics, formerly Chamberlain Manufacturing Corp. Sales of manufactured gas-development materials help companies in the area diversify and tap into the lucrative energy-development market. "Drilling is here to stay, there is money to be made and the opportunity is definitely there," said Teri Ooms, director of the Institute for Public Policy and Economic Development, a regional research and analysis agency. "It's creating jobs and putting money back into the area." General Dynamics, which manufactures parts and casings for military projectiles, relied on Pentagon orders for 95 percent of its production in 2009, Mr. Brunozzi said. Today, he said, defense work makes up about 70 percent of the work at the plant, which employs 300 people. "It's a big deal to have a diversified business and not rely on a sole customer in the U.S. government," Mr. Brunozzi said. "It helps stabilize employment levels."

Pocono forest and waters conservation funding up for grabs HARRISBURG - Mini-grants are now available for communities and organizations looking to promote natural and cultural assets in Northeast Pennsylvania, the state Department of Conservation and Natural Resources announced. The Pocono Forest and Waters Conservation Landscape Conservation Assistance Program will offer up to \$100,000 through the Pennsylvania Environmental Council, with a required one-to-one match, according to a news release. The maximum individual grant award offered to applicants will be \$20,000. The funds are provided through DCNR's Community Conservation Partnerships Program.

Editorial: Casey's vote helps clear air Sen. Bob Casey joined a few other Democratic senators from coal-producing states last week in placing public health above parochial interests. Those senators voted against a last-ditch effort to eviscerate the Environmental Protection Agency's Mercury and Air Toxic Standards, new rules that require environmental protection upgrades to some coal-fired power plants. More than 60 percent of coal-fired plants nationwide already have invested in the required technology. There was no reason to exempt the others, especially because the technology readily is available and the toxins involved, especially mercury, are some of the most dangerous.

## **CRANBURYPATCH**

### Marcellus Shale Industry Again Denied in Act 13 Challenge

This time, the Supreme Court on Friday denied a request by Marcellus Shale industry representatives to be a party to the challenge against Act 13. The Supreme Court on Friday denied representatives from the Marcellus Shale industry the opportunity to participate in an appeal of the injunction against Act 13 filed by multiple municipalities, a doctor and a non-profit. The Public Utilities Commission and the state appealed the Commonwealth Court decision to grant an injunction in the case regarding the zoning portions of the law. Industry representatives had also asked the Commonwealth Court to be a party to the suit at the level of the proceedings. That was also denied. Senate President Pro Tem Joseph Scarnati and House Speaker Samuel H. Smith, also moved to intervene on behalf of the Legislature on appeal—as they did on at the Commonwealth level. No decision has been made on that matter as of Monday morning. All parties are still waiting for the Commonwealth Court's decision regarding the constitutionality of Act 13, which was argued June 6.

## **CENTRAL PENN BUSINESS JOURNAL**

### DEP names new directors for two regional offices

The Pennsylvania Department of Environmental Protection has named new directors for two of its regional offices, including the one serving the midstate, according to a news release. Lynn Langer, who joined what was then the Department of Environmental Resources in 1983, will become regional director of the southcentral office effective July 2. She has been the region's assistant director since 2004 and her experience includes working as chief of the agency's watershed protection section, according to the release. The department last week also named Marcus Kohl, director of its Office of Program Integration, as regional director of the agency's northcentral office effective July 2.

## **WILLIAMSPORT SUN-GAZETTE**

DEP names new regional director Marcus Kohl has been named the new regional director for the state Department of Environmental Protection's northcentral regional office and the new director of the department's office program integration. In his position, which officially will begin on July 2, Kohl will oversee waste management, air quality, environmental cleanup and water issues for several counties, including Lycoming, Montour, Sullivan and Tioga. "Before I took the job, the secretary asked me if I was willing to take on a region with a lot of growth potential and a lot of exciting things going on," Kohl said. "I think the northcentral region has an amazing amount of opportunities due to the boom from Marcellus Shale."

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## **WASHINGTON, D.C.**

### **WASHINGTON POST**

From Early Bird Agencies cautioned on e-mail monitoring (Saturday) Obama administration warns federal agencies that monitoring employees' e-mail could violate law. The Obama administration warned federal agencies Wednesday that monitoring their employees' personal e-mail communications could violate the law if the intent is to retaliate against whistleblowers. A memo to chief information officers and general counsels across government from the Office of Management and Budget sets out guidelines from Special Counsel Carolyn N. Lerner that agencies should heed when they consider surveillance of employee communications. The legal guidance "from the head of the independent office that represents whistleblowers" comes five months after the Washington Post reported that the Food and Drug Administration secretly monitored the personal e-mail of a group of scientists who warned Congress and others that the agency was approving medical devices they considered dangerous. The FDA surveillance, detailed in e-mails and memos written by six medical device reviewers, took place over two years as they accessed their personal Gmail accounts from government computers. The FDA took electronic snapshots of the employees' computer desktops and reviewed documents they saved on their computers' hard drives. The scientists have filed a lawsuit against the FDA in U.S. District Court in Washington, alleging that the monitoring contributed to the harassment or dismissal of all six of them. They say the government violated their constitutional privacy rights by reading communications with Congress, journalists, the inspector general's office and the Office of Special Counsel.

From Early Bird Escapes: Rebuilding Maryland's wild islands (Saturday) A tour of Chesapeake Bay islands that Maryland is rebuilding as it deepens the bay for shipping. Stepping off the gravel road encircling Poplar Island, I walked gingerly down a small hill, salt meadow hay crunching beneath my feet. "Keep going," urged Laura Baldwin, our guide. "Slowly." I took a few more steps, and suddenly, just feet in front of us, a mallard flew up from a hidden spot in the field. Baldwin walked to where the duck had been sitting, lifted a flap of grasses and revealed a nest of nine perfect eggs. I inched closer, delighted. This wasn't what I'd been expecting when I signed up for a tour of the island, but for our first stop, it was a good start.

From Early Bird For Obama, Supreme Court health-care, immigration rulings to close a tough term...And in *Sackett v. EPA*, the court rejected the argument that property owners accused of violating the Clean Water Act do not have the right to quickly challenge those allegations in court. It is a case in which the administration was defending a decades-old EPA enforcement technique upheld by lower courts. It was not indicative of any activism by the Obama environmental regime; Mike and Chantell Sackett's plan to build an Idaho lake house was stopped when George W. Bush was president. While the Supreme Court passed up an earlier chance to consider the same issues in an appeal from *General Electric*, it took the case of the Sacketts. I wonder if the case had been involving a large corporation if the result would have been 9-0. Paul D. Clement, a former solicitor general in the Bush administration, told reporters at a Chamber of Commerce briefing last week. Others have questioned the aggressiveness of Verrilli's office and the administration. As in the Sackett case, the government's support of the fired teacher in the *Hosanna-Tabor* case began during the Bush administration.

## **POLITICALNEWS.ME**

CARDIN, MIKULSKI TEAM UP TO SAVE FUNDING FOR THE CHESAPEAKE BAY Washington, DC – U.S. Senators Ben Cardin and Barbara A. Mikulski (Both D-MD) voted in support of the Agriculture Reform, Food and Jobs Act, which benefits Maryland's farmers and continues to provide a strong foundation for restoring the health of the Chesapeake Bay Watershed. Overall, the 2012 Farm Bill made over \$23 billion in spending cuts or more than double the agriculture cuts recommended by the Simpson-Bowles Commission. The bill passed the Senate 64-35. "Farmers understand how valuable a healthy Chesapeake Bay is to our region and our nation. It's why I fought to preserve the Chesapeake as a priority conservation region and did not stop until we received assurances that the Chesapeake Bay Watershed will receive ample support under the 2012 Farm Bill's conservation programs," said Senator Cardin, Chairman of the Senate Water and Wildlife Subcommittee. "Restoring the full health of the Chesapeake Bay requires coordination among all sectors in the region. I will continue to work hard to provide Maryland farmers with the resources they need to continue their responsible efforts to conserve the watershed."

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# DELAWARE

## **WILMINGTON NEWS JOURNAL**

From Early Bird US 13 sewer project seems never-ending A \$16 million sewer project along Gov. Printz Boulevard that should have been completed last month is stalled and could take another year to complete

From Early Bird Blue Rocks game to promote disaster planning The Wilmington, New Castle County and Delaware Citizen Corps will sponsor an annual Delaware Preparedness Night on Friday during the Wilmington Blue

From Early Bird Letter: Delaware bayshore Initiative welcomed

From Early Bird Commentary: Carbon tax wins over powerful climate change foe

## **DELAWARE CAPE GAZETTE**

From Early Bird Primehook Beach residents: We want the dunes back Milton Primehook Beach residents rejected three alternatives proposed in a long-awaited draft conservation plan for Prime Hook National Wildlife Refuge. More than two dozen speakers at a June 19 agreed that none of three proposed alternatives for refuge and habitat management addresses public health and safety, private property, infrastructure and overall sustainability of Primehook Beach and nearby farms. Residents said the plan ignores their concerns, and they demanded that U.S. Fish and Wildlife Service go back to the drawing board. Speakers also agreed that whatever alternative is adopted, the breaches that allow free flow of saltwater into the Unit 2 impoundment should be filled and the dunes restored. "What we all want is the dunes back. The dunes can be replaced; you can find the money," said Otis Clifton, who lives near the refuge. The 1,100-page draft plan has been in the works for eight years. "Kicking the can down the road management policy for a few more years while the Delaware Bay has free play in our neighborhoods and with our lives does not pass muster,"

said Richard Allan, vice chairman of the Primehook Beach Organization. Allan read an eight-page report into the record during the hearing at Cape Henlopen High School. "We urge the service to forge a responsible preferred alternative that takes into account the conditions on the ground and the day-to-day threat of flooding and inundation from the breaches to Primehook Beach residents and infrastructure from the refuge impoundments" one that affords a reasonable plan for protection of life, property and general wellbeing," he said.

## **ASSOCIATED PRESS (Del.)**

From Early Bird Dead turtles washing ashore on mid-Atlantic coast LEWES, Del -- In the weeks between late May and June, five sea turtles washed ashore along Delaware's beaches. Then, over last weekend into Monday, that number more than doubled: six additional dead turtles were found. Along New Jersey beaches, four dead sea turtles washed in on Sunday alone. And along the Virginia coast, the number of dead turtles was abnormally high during May. State and federal officials who monitor sea turtle populations said they don't know if the numbers indicate any problem. This time of year, turtles are migrating," said Edna Stetzer, a state biologist. "They might be more concentrated." And several days of onshore winds may have driven dead and dying turtles "creatures that wouldn't typically be discovered" up onto beaches in the area, said Suzanne Thurman, executive director of the MERR Institute, Delaware's marine stranding organization. Kate Sampson, the federal sea turtle stranding and disentanglement coordinator in this region, said federal, state and regional stranding coordinators from Maine to Virginia are gathering for planned quarterly meetings next week and will discuss what they have been seeing. Sampson said that turtles typically begin arriving along the Virginia coast in April and May, then move north. The Chesapeake and Delaware bays are popular summer feeding grounds for juvenile loggerhead turtles. "Once turtles start moving into an area, the strandings start to increase," she said. The one concern in Virginia is that strandings in May numbered 58 sea turtles. So far in June, there have been 39, she said. Typically, those numbers would be reversed, she said. So the question is: "What is that all about?" she said. "So far, there is no one smoking gun." One factor may be the impact from a warmer-than-usual winter and early spring "something that affected everything from horseshoe crab spawning to plant flowering. Another may be the strong onshore winds of the last few weeks. What is not known is whether other factors" boat strikes, marine pollution or disease "also could be playing a role, she said. Delaware's numbers, for instance, are a little higher than normal but not alarming, she said. Warmer water temperatures do allow species such as sea turtles to move north sooner to forage for food, she said.

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## **WEST VIRGINIA**

### **CHARLESTON GAZETTE**

From Early Bird Community members express frustration with Bayer during public briefing INSTITUTE, W.Va. -- When Institute community members asked "What next?" during Saturday's public briefing about a report on the use and storage of a deadly chemical at Bayer CropScience, no one could give them definitive answers. The report about methyl isocyanate, or MIC, at the Institute plant, which was written by experts from The National Academy of Sciences, moves to the U.S. Chemical Safety Board for review. The committee that wrote it dissolves. "What happens next will depend on the political process," committee member Michael Elliott said. Several people who helped write the report were present to take questions during the morning's briefing at West Virginia State University. The report, which was congressionally mandated, was released in May and said the chemical industry needs clearer standards for identifying safe practices. Rather than discussing the report's findings, however, the dozen community members present were more interested in expressing their disillusionment with Bayer. The report follows a string of events that began in 2008, when there was an explosion at the plant in Institute that killed two employees, started a fire and damaged nearby structures. The incident and the resulting U.S. Chemical Safety Board inspection, drew renewed attention to the fact that the Institute facility housed of large amounts of MIC.

From Early Bird DEP cites contractor clearing land for new Edgewood school CHARLESTON, W.Va. -- The contractor in charge of clearing the wooded area for Kanawha County's new "School of the Future" has burned dozens of trees in what neighbors called a roaring bonfire that violated a host of environmental permits. The West Virginia Department of Environmental Protection has issued a Notice of Violation to Carpenter Reclamation Inc. of Sissonville for illegal open burning at the school construction site off Edgewood Drive in Charleston. Last Friday, the DEP's Division of Air

Quality investigated Carpenter Reclamation's land-clearing operation and said the company had violated state code by openly burning wood and brush in open fires, rather than using a pit burner that is meant to contain smoke. "There were trees piled all over the hillside and, at 6:30 on Friday evening, they decided to light those piles on fire even though they weren't supposed to burn them openly at night," said Rick Brown, a Wood Road resident whose home overlooks the construction site. The construction permits clearly state that all burning is supposed to occur during daylight hours, but Brown said a "roaring" fire blazed all night last week and blanketed the neighborhood in heavy smoke and ash. "We've endured 60 days of burning and haven't complained until the smoke came pouring down to our side of the hill," Brown told the Kanawha County Board of Education Thursday night. "This is a residential neighborhood. We're not a Mingo County strip mine. People keep saying how this has to be done quickly to get this school built and that we shouldn't complain."

From Early Bird Author of Storming Heaven Denise Giardina says coal is dying CHARLESTON, W.Va. -- A West Virginia author who wrote a fictional retelling of the state's mine wars believes Southern West Virginia is "gone" and coal is dying. "It's clear it's dying," Denise Giardina said Sunday. "Probably not in my lifetime, but it's dying. And Southern West Virginia is dying. And it's not going to come back. Those mountains are not going to come back." Giardina's comments came during the final installment of the 2012 Little Lecture Series by the West Virginia Humanities Council. This year marks the 25th anniversary of her award-winning novel, "Storming Heaven," which tells the story of life in the state's southern coalfields and the events leading up to and culminating with the Battle of Blair Mountain. Giardina summed up her novel and its follow-up, "The Unquiet Earth," by saying "The coal company giveth and the coal company taketh away."

Aaron Gillispie: Bipartisan coal fly ash amendment helps W.Va roads, jobs, air quality ... Improving our transportation infrastructure will create more opportunities for construction workers, highway engineers, materials suppliers and other workers and businesses. With better roads, highways and bridges, West Virginia will also be more attractive to companies and visitors, creating still more jobs and business opportunities. In addition, a key component of the concrete that is used in building transportation facilities is an environmentally-friendly byproduct of West Virginia's leading product: coal.

## **CHARLESTON DAILY MAIL**

From Early Bird DEP worker remembered in companys softball competition CHARLESTON, W.Va. - John Damron, a longtime outfielder for state Department of Environmental Protections Corporate Cup softball team, didnt take the field with his coworkers this year. But his coworkers made sure Damrons memory played on. Damron, a 30-y...

From Early Bird DEP issues violation over Edgewood school site prep work (Saturday) The state Department of Environmental Protection issued a notice of violation to the company responsible for clearing the site of the new Edgewood Elementary School. Carpenter Reclamation Inc., of Sissonville, received the notice of violation...

Column: Sen. Jay Rockefeller does a Byrd on coal In December 2009, U.S. Sen. Robert Byrd delivered one of the most critical speeches of the latter part of his storied career. Byrd called for an "open and honest dialog about coal's future." Byrd questioned the future of mountaintop removal mining, acknowledged the "mounting science of climate change," called out the coal industry for "fear mongering" and "grandstanding" and called for the industry to "embrace the future" by working with Congress and regulatory agencies. It was a politically explosive speech — one that ran counter to the traditional tack taken by coalfield politicians from West Virginia. But he was Robert Byrd, the iconic West Virginia figure whose considerable political capital made him unbeatable on Election Day.

## **PARKERSBURG NEWS AND SENTINEL**

From Early Bird Tomblin, Maloney talk energy (Sunday) CHARLESTON - Both the Republican and Democratic candidates for governor agree development of West Virginia's natural gas resources will shape the state's economic future for years to come, yet coal must continue to play a part. However, the two differ on how that can be accomplished. The incumbent Democratic Gov. Earl Ray Tomblin and Republican challenger Bill Maloney each have outlined a state energy policy for West Virginia. The plans include horizontal drilling for natural gas in the Marcellus and Utica shale deposits, coal mining and other energy options. The West Virginia Legislature passed the Horizontal Well Act by a substantial majority. The bill established regulations for the emerging Marcellus Shale natural gas



industry in the state, such as permit and regulatory rules . The bill protected property owners, promoted development and protected the environment, officials said. "We have a great opportunity with natural gas, and West Virginia is ahead of surrounding states when it comes to drilling in the Marcellus and Utica shale because of legislation I led the way on during a 2011 special session," Tomblin said. "Companies are comfortable making investments because they know the rules, and our communities are protected from potentially harmful impacts. I expect to see continued development in that industry." Maloney said the administration waited too long to act, but he was glad it finally did. "I don't necessarily agree with all the finer points of the new rules, but the last thing we need to do is change anything at this point," he said. "We need to assess how effective the recently implemented policies have been in addressing the use of horizontal drilling in our state. "If done correctly, West Virginia can be a model for other states to follow," Maloney said.

From Early Bird Native Plant Society tours local attractions PARKERSBURG - The West Virginia Native Plant Society gathered in Wood County Saturday to tour two arboretums and two refuges for its regular field trip and board meeting. "We usually do nature hikes through trails, but not today," said board member Kevin Campbell. "(Saturday) is like a museum tour." About a dozen longtime and new members of the statewide organization met at the John Blomberg Wood County-Parkersburg Public Library Arboretum before they moved on to the Edison Middle School Arboretum and McDonough Refuge near the recycling center. "We usually do natural habitat hikes rather than urban, but decided to see the urban plantings of West Virginia native species while here," Campbell said. The three sites in the tour all have plants native to the state in their controlled spaces, said board President Romie Hughart. The West Virginia Native Plant Society includes members from all over the state who study the plants native to the state from grasses and trees to flowering vines. "We are a plant taxonomic group," Hughart said. "We make listing of what we find and keep a record for the future.

From Early Bird Blog: Rockefeller tells W.Va. what it doesn't want to hear Some things are abundantly clear this week, following Sen. Jay Rockefeller's Senate floor speech about the future of our state's coalfields: In West Virginia, it's big news - huge news, really - if one of our political leaders dares to tell a little bit of truth about the coal industry. And, of course, any politician brave enough to do that better be ready for a fierce response from coal and its many political allies.

## **WHEELING INTELLIGENCER**

Pipelines Irk PSD Officials Lagos: Workers disturbing waterlines. MOUNDSVILLE - As they install pipelines across Marshall County, some subcontractors working for Dominion Resources and other companies are creating a headache for George Lagos and his small staff of water department employees. As Dominion prepares to open its \$500 million natural gas processing complex later this year, the company needs the pipelines to help supply the Natrium plant. Dominion is not the only company installing pipelines in the county, as MarkWest Energy and other companies are also laying pipeline networks to establish a mode of transportation for the natural gas, oil, ethane, butane and propane drilling can extract from the Marcellus and Utica shale formations. However, Lagos said there are many instances when companies, such as Dominion, are not following the proper procedures when digging around the PSD's waterlines, exposing them to sunlight that could potentially cause bacteria to grow in residents' water.

## **BLUEFIELD DAILY TELEGRAPH**

Surface mine permit process advances despite work slowdowns

Despite some citizen protest and concern, surface mining in Fayette County continues to move forward, with 2,162 total acres of pending surface mine permits potentially adding to the 12,704 acres already permitted but not yet released from bond. Many more thousands of acres have already been reclaimed and released. On Thursday evening, about a dozen locals attended an informal hearing regarding a significant revision to Frasure Creek Mining's Open Fork No. 2 permit, which nearly 100 citizens appealed last summer.

In February, the West Virginia Surface Mine Board upheld the permit's issuance. Eight official comments were given to the West Virginia Department of Environmental Protection at Thursday's hearing, all of which expressed concern and disapproval. Aimee Rist of Fayetteville was one of the citizens who commented at the hearing. "I'm concerned about this type of mining being linked to increased cancer rates, birth defects, and heart disease," she says. "This company, Frasure Creek, has falsified water quality records in Kentucky, so how do we know they are not doing that here?" Frasure Creek was sued this month by the Environmental Protection Agency over water quality issues in

Kentucky.

## **WEST VIRGINIA METRO NEWS**

**'It's Not Easy'** Those with the state Department of Environmental Protection's Office of Oil and Gas are still trying to fill six new positions created last December with the passage of the Horizontal Well Act. "It's not easy to find people, but we're looking and we're confident that we will," says DEP Spokesperson Tom Aluise. Natural gas well inspectors for Northern West Virginia would be among the six. Those inspectors handle environmental regulatory oversight of oil and gas well drilling sites and production operations. Aluise says it's specialized work and the gas companies themselves are offering higher salaries to those who are qualified for it. State statute sets the starting salary for an inspector at \$35,000 a year. "There's not a lot of candidates out there, but we're confident that we'll find the right people," he told MetroNews.

## **ASSOCIATED PRESS**

**Berkeley County moves to increase number of trees** Berkeley County officials are working to increase the number of trees in the county. A 2009 assessment by the Herald-Mail (<http://bit.ly/LkycM8>) says the Berkeley County Council plans to apply for a Chesapeake Bay Community Grant. The grant money would be used to plant trees and to develop a long-term goal for the county's "urban tree canopy." A tree canopy is the layer of leaves, branches and stems that cover the ground when viewed from above.

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# MARYLAND

## **BALTIMORE SUN**

**From Early Bird** Bay's 'dead zone' smaller this year so far (Sunday) The "dead zone" that forms every spring in the Chesapeake Bay is smaller than average so far this year, state officials report. Water sampling done in early June by the Department of Natural Resources found dissolved oxygen levels too low to be suitable for fish, crabs and shellfish in just 12 percent of the bay, according to the department's "Eyes on the Bay" website. That's well below the long-term average since 1985 of 17.1 percent of the Chesapeake experiencing low oxygen levels. It's also a dramatic improvement over last year, when a third of the bay's waters was starved of the oxygen that fish, crabs and shellfish need to breathe. Oxygen levels in the bay's deepest waters decline every spring as warming temperatures spur algae to grow, fed by the glut of nutrients in the water from sewage, fertilizer runoff and air pollution. Those thick algae blooms then consume the oxygen in the water as they die, sink to the bottom and decay. State scientists say favorable weather most likely is responsible for healthier bay water so far this year, just as unfavorable weather has been blamed for last year's record large dead zone. Drier, warmer conditions from February through April this year meant less pollution washed off the land to feed the algae growth, while wetter, cooler weather in late spring helped keep low-oxygen conditions from setting in. Last year, by contrast, an extremely wet spring helped flush more nutrients into the water. The news about the bay's dead zone this year may come as a surprise in the Baltimore area, which recently experienced malodorous algae blooms and fish kills that stretched from the harbor south to Annapolis. But DNR's map of oxygen levels in the bay shows the worst conditions concentrated in the city's part of the Chesapeake. The "dead zone" typically grows through summer and reaches a peak in July or August. Last year, the winds of Hurricane Irene in late August mixed bay waters and dramatically shrank the dead zone. That improvement was short-lived, though, as the torrential rains of Tropical Storm Lee washed millions of tons of mud, sediment and nutrients into the bay, re-forming the dead zone, which then lasted unusually late into the fall.

**From Early Bird** Water pollution plan for Baltimore comes under fire (Saturday) A new permit proposed by the state for curbing runoff in Baltimore city is coming under fire from a pair of environmental groups, which contend it fails to require big enough reductions in the pollution fouling the harbor. The Baltimore Harbor Waterkeeper and Earthjustice say the storm-water permit proposed for the city last week by the Maryland Department of the Environment is vague and weak. The groups are calling on the state to include specific deadlines and enforceable requirements in the permit, arguing that without those it's little more than "guidance" for the city. "Unfortunately there is no backbone in this ...

permit," Tina Meyers, the harbor waterkeeper, said in an interview. The permit governs pollution discharged into urban streams and the harbor from the city's storm sewer system, which drains Baltimore's 87-square mile area. Jay Apperson, an MDE spokesman, called the city's proposed permit "a significant step forward" in controlling stormwater runoff, a significant and growing source of pollution of the Chesapeake Bay. He predicted it would cost the city hundreds of millions of dollars over the next five years to retrofit storm drains, tear up pavement and plant trees and rain gardens. Apperson noted that the permit requires the city to come up with a plan for controlling runoff from another 20 percent of its paved or built landscape in the next five years - on top of the 20 percent now supposed to be controlled.

From Early Bird Letter: Pollution, population growth threaten Chesapeake Bay While I agree that chemicals and manure are major problems contributing to Chesapeake Bay pollution, there are two additional concerns that should be addressed. One is the pollution associated with power mowers, leaf blowers and edgers. Most of these gasoline engines have little or no pollution controls. The second is the increasing population in the Chesapeake Bay watershed. During my lifetime, the population in Maryland has more than tripled, and homes and highways continue to reduce the efficiency of trees in cleansing the environment.

Study finds sea level rise accelerating along Atlantic coast Sea levels are rising faster along the Atlantic coast - including in the Chesapeake Bay - than elsewhere around the world, and the increase appears to be accelerating, according to federal scientists. In a paper published online in *Nature Climate Change*, the U.S. Geological Survey reports that sea level rise is increasing three to four times faster than globally along a heavily-populated 600-mile stretch of coast from Cape Hatteras, NC to north of Boston.

Since 1990, the rise has increased 2 to 3.7 millimeters per year in the "hotspot," as the federal scientists call it, compared with a global increase of 0.6 to 1 millimeter per year. That hotspot includes the Chesapeake Bay, according to USGS oceanographer Asbury H. Sallenger, lead author of the report, who said, "If you raise sea level across the mouth of the Chesapeake Bay, it's going to increase the overall level of the Chesapeake Bay," he said.

Letter: Pollution, population growth threaten Chesapeake Bay While I agree that chemicals and manure are major problems contributing to Chesapeake Bay pollution, there are two additional concerns that should be addressed. One is the pollution associated with power mowers, leaf blowers and edgers. Most of these gasoline engines have little or no pollution controls. The second is the increasing population in the Chesapeake Bay watershed. During my lifetime, the population in Maryland has more than tripled, and homes and highways continue to reduce the efficiency of trees in cleansing the environment. I live in the Perry Hall area, and I no longer see grasshoppers, toads, turtles or even flies. The bees and butterflies are fewer in number, despite the presence of many flowers and plants. Are we breeding ourselves out of existence?

Md. farmers are doing their share for Chesapeake Bay

The recent commentary by representatives of Senior Scientists and Policymakers for the Bay regarding poultry waste regulations was wrong in many ways ("No more half-measures," June 18). They are correct that more people and their pollution will stress our environment. More people will reverse the progress that agriculture is making. The U.S. Environmental Protection Agency reports that agriculture has made tremendous progress in reducing nutrient contributions to the Chesapeake Bay. Urban and suburban sectors are getting worse. They are wrong to describe agriculture's programs as a "voluntary, collaborative approach." They imply that there are no Maryland rules for the proper use of animal manures and fertilizers, but they know better. Maryland's 1998 law created far-reaching requirements for farmers — among America's most restrictive. Ask any farmer. They are not "mostly voluntary" as claimed.

## **CARROLL COUNTY TIMES**

From Early Bird County refuses to send the state its local Watershed Implementation Plan (Sunday) Unhappy with how the state has estimated the county's nutrient reduction requirements, Carroll County planning staff will not submit the county's local Watershed Implementation Plan to the Maryland Department of the Environment. Counties are required to develop a local plan with strategies that help the state reach its pollution mitigation goals to clean up the Chesapeake Bay and state waterways. The goal is to lower the amount of nitrogen and phosphorus getting into the state's waterways. Counties must submit their plans to the MDE by July 2. The Maryland Department of the

Environment wants to work with the county so that the state can meet its water quality goals. "If the county does not submit a plan, MDE will assume Carroll County will implement standard strategies from the state plan that will meet our statewide water quality goals," said MDE spokeswoman Samantha Kappalman. "If no progress is made to implement the strategies, then MDE can begin to look at some of the permits under its legal authority for ways to encourage the county to implement those strategies." The U.S. Environmental Protection Agency has said that if the state does not meet its water quality goals, it would impose consequences which will affect federal permits that the state issues, such as wastewater, stormwater and animal feeding operations, Kappalman said. The Maryland Watershed Implementation Plan rose out of the creation of the Chesapeake Bay Total Maximum Daily Load, a pollution diet imposed by the EPA. To achieve the TMDL would require sweeping actions by the state to restore clean water to the Chesapeake and the region's streams, creeks and rivers. As a result, the state created the Maryland Watershed Implementation Plan, Kappalman said. The first phase set milestones for the state to meet, which would be enforced by the EPA. The state set two-year milestones to meet its target of making significant reductions of nitrogen and phosphorus by 2020, five years earlier than the EPA planned for all bay watershed jurisdictions.

## **CUMBERLAND TIMES-NEWS**

From Early Bird Romney gets greenbacks to become more green (Saturday) ROMNEY, W.Va. "The city of Romney will use a \$25,000 Green Streets-Green Jobs-Green Towns grant to separate its storm water from sewage, according to Mayor Dan Hileman. The initiative comes from the Chesapeake Bay Trust, U.S. Environmental Protection Agency and the state of Maryland. The storm water management project will be installed along U.S. Route 50 west of the center of town, according to Hileman. The project will dispose of storm water without going into the sewage; instead the water is absorbed back into the earth through natural circulation. "This grant is a wonderful opportunity for us to create a natural system that doesn't require any power or energy," said Hileman, who noted that this is the first project of this nature that the city has participated in. "It's going to be a nice project." The project is based on research that was done in conjunction with the Maryland Department of the Environment, according to Hileman. A total of 10 recipients have been awarded \$376,000 in grant funding in Virginia, Pennsylvania and Maryland. Romney was the only city in West Virginia chosen to receive the grant, according to a news release. The grant recipients were chosen for their innovative green infrastructure and best management practices to improve the overall health of local communities while promoting enhanced livability and creating green jobs, according to the release. "Green streets and green infrastructure are investments that create jobs and save money while also providing multiple environmental and quality of life benefits," EPA Regional Administrator Shawn Garvin told the Chesapeake Bay News. The grant program was open to local governments and nonprofit organizations in urban and suburban watersheds in the Chesapeake Bay region that were interested in pursuing green streets, green infrastructure and green jobs as part of their community planning. Grant assistance was available for green infrastructure project planning and design, as well as implementation and construction, according to the release.

From Early Bird Local planners trying to stay proactive with bay restoration effort (Saturday) CUMBERLAND "Two goals top the priority list for Allegany County's portion of the Chesapeake Bay pollution diet. Planners want to demonstrate the county's progress in helping clean up the bay and avoid designation as a county needing stricter regulation to control pollutants feeding into the bay. Stricter regulations could mean expensive storm water management projects, among other things. Angie Patterson, a county land use and planning engineer, updated county commissioners at their work session last week on the county's final draft of a Watershed Implementation Plan. "We don't have to do that and we don't want to fall into that category," Patterson said. Patterson is in charge of coordinating Allegany County's response to, and implementation of, the total daily maximum load (TDML) requirements issued by the U.S. Environmental Protection Agency and Maryland Department of the Environment. She works with a committee including county and municipal officials along with other members. A draft of the county's plan was submitted in November and the county received comments back from Maryland Department of the Environment officials resulting in some minor changes to the plan. Patterson said some good news arrived in the form of deadlines being pushed back and a new calculation of credits the county can receive for progress in implementing the plan. The deadline for full implementation was pushed back from 2020 to 2025, Patterson said. The county also has been doing a good bit of streams restoration, and the credits that county gets for that have increased. "They're good with our plan," Patterson said. "We need to be proactive," Patterson said. TMDLs are "an estimate of the maximum amount of an impairing substance or stressor (pollutant) that a water body can assimilate without violating water quality standards," according to the Maryland Department of the Environment.

Garrett County Chamber of Commerce supports shale gas development (Thursday) OAKLAND — The Garrett County Chamber of Commerce has adopted a position in support of Marcellus shale gas development and encourages the Maryland Department of the Environment to authorize the process of allowing for the safe extraction in the county, according to a white paper released last month. Gov. Martin O'Malley's Marcellus Shale Safe Drilling Initiative Advisory Commission's final report is set to be released in August 2014. The white paper explains the chamber's position and was distributed as a way to educate its members, according to Nicole Christian, president and CEO of the chamber, who is also a member of the Garrett County Marcellus Shale Natural Gas Advisory Committee.

Electric or gas: Which appliances are better? If you're moving into a new house and have the luxury to design your kitchen, should you set it up to run gas or electric appliances? The same question applies to those who are searching for a new apartment. Should you choose a building that uses gas to power its appliances, or electricity?

## **FREDERICK NEWS-POST**

From Early Bird Emmitsburg awarded \$3.75M for water treatment plant (Saturday) A \$3.75 million state grant should be enough to get Emmitsburg on track to begin construction this summer on its new wastewater treatment plant, the town's manager said Friday. The grant from the Maryland Department of the Environment will help build the new plant, which was required as part of the state's effort to improve water quality in the Chesapeake Bay. "I think we've gotten to where all the pieces of the puzzle are there now," Town Manager Dave Haller said. "We just have to put them together." The grant was not a surprise, according to Haller, who said the state and federal governments have worked closely with town officials to secure enough funds for the project. The design and construction of the new facility is expected to cost \$20 million. To date, the state has awarded nearly \$5.4 million to Emmitsburg for the project. "We got a lot of help, and we needed every bit of it," Haller said. The town is on the hook for about \$5.5 million, which will be paid for with a loan. The latest money for Emmitsburg was part of a larger announcement from the state. A combined \$37 million in grant money will go toward reducing pollution and improving water quality around Maryland, according to a news release. "This fits into the overall plan to restore local waterways and the Chesapeake Bay," MDE spokesman Jay Apperson said in an interview.

## **SALISBURY DAILY TIMES**

From Early Bird Chesapeake Bay buoy system warns of jellyfish BALTIMORE — If you like to swim in the Chesapeake, but don't like being stung by jellyfish, a new high-tech bay buoy system can help. The National Oceanic and Atmospheric Administration says the Chesapeake Bay Interpretive Buoy System can tell when conditions are right for jellyfish, also known as sea nettles. NOAA says sea nettles are found from Cape Cod to the Caribbean but abound in the Chesapeake. NOAA says observations have found concentrations of jellyfish are normally found in water between 79 and 86 degrees and in a specific salinity range. The buoys are listed on an online map, which shows data for each buoy, including sea nettle probability.

From Early Bird Warm, salty water ripe for annual jellyfish invasion BETHANY BEACH -- The beaches are safe from jellyfish -- for now. Despite the warm winter, unusually high water temperatures and salinity levels this year, the Delaware beaches and Ocean City have yet to encounter jellyfish. Due to those same conditions, the jellyfish are expected to surface soon and could remain in the water for an extended period of time this year, according to oceanographer Christopher Brown, National Oceanic and Atmospheric Administration. "The temperature of the water is an indication of when they arrive," Brown said. "Because this year has been warmer than usual, you expect them to be occurring earlier than usual." Brown studies sea nettles, the type of jellyfish that people in Maryland and Delaware are accustomed to. Specifically, he uses a model to project the concentration of sea nettles native to the northern portion of the Chesapeake Bay. For the majority of the year, sea nettles are in a polyp, or a resting, stage. The sea nettles attach to shells on the bottom of the estuary and surface when the water surpasses 68 degrees.

## **ASSOCIATED PRESS (Md.)**

From Early Bird Md. county lifts swimming ban for river beach (Saturday) ANNAPOLIS (AP) — Anne Arundel County health officials say they have lifted a swimming ban for the beach at South River Heights. Health officials say testing of water samples show bacteria levels are now acceptable for swimming and other direct water contact activities. The advisory for the beach in Riva was issued June 20.

From Early Bird Chesapeake Bay buoys tell when conditions are right for jellyfishBALTIMORE â€” If you like to swim in the Chesapeake, but donâ€™t like being stung by jellyfish, a new high-tech bay buoy system can help. The National Oceanic and Atmospheric Administration says the Chesapeake Bay Interpretive Buoy System can tell when conditions are right for jellyfish, also known as sea nettles. NOAA says sea nettles are found from Cape Cod to the Caribbean but abound in the Chesapeake. NOAA says observations have found concentrations of jellyfish are normally found in water between 79 and 86 degrees and in a specific salinity range. The buoys are listed on an online map, which shows data for each buoy, including sea nettle probability.

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## VIRGINIA

### **RICHMOND TIMES-DISPATCH**

From Early Bird Pittsylvania board seeks public input on uranium mining Pittsylvania County residents will voice their suggestions on uranium mining and milling to the Board of Supervisors next month. Supervisors will hold a citizens forum at 7 p.m. July 9 in the General District Courtroom in Chatham. Supervisors hope the forum generates suggestions from residents regarding the direction they want the board to take to protect the health and welfare of residents, Staunton River Supervisor Marshall Ecker said. Residents' comments and ideas will serve as a resource in the board's decision making, Ecker said. Residents of Pittsylvania County will be allowed to comment, and only for four minutes. Individuals will be required to sign a roster indicating that they wish to speak. Virginia Uranium Inc. seeks to mine and mill a 119-million pound uranium ore deposit at Coles Hill, about 6 miles northeast of Chatham. Virginia has had a moratorium on uranium mining and milling since 1982. The General Assembly is expected to determine whether to lift the moratorium during its 2013 session. "We're coming to a close on this moratorium," said Ecker, who opposes lifting it.

### **NEWPORT NEWS DAILY PRESS**

From Early Bird Newport News looking at renewable energy facility NEWPORT NEWS â€” An Ohio company is proposing to build an anaerobic digester â€” a renewable energy facility that would accept food and yard waste as well as fats, oils and greases that currently end up in landfills. "It's like a big fermentation tank," said Newport News City Manager Neil Morgan. "It's a cool idea." Quasar Energy Group of Cleveland sent an unsolicited proposal to Newport News this spring after hearing the city was pursuing a similar technology. Last year, the city demonstrated a food waste composter from a Pennsylvania company as part of its environmental sustainability initiative.

### **LYNCHBURG NEWS AND ADVANCE**

From Early Bird U.S. 460 lanes still closed in Bedford County nearly month after spill Traffic delays on U.S. 460 in Montvale will continue for weeks as crews work to clean up and repair the highway after a tanker overturned there almost a month ago. â€œIt adds about 10 minutes to my ride every night to get home,â€ said Sue Prunty, who lives on Misty Ridge Lane near the site of the crash. The eastbound lanes have been blocked for cleaning and repair since May 28, after a Watts Petroleum tanker crashed near the highwayâ€™s intersection with Wilkerson Mill Road. The wreck killed the tankerâ€™s driver, 31-year-old Adam Henry, and spilled about 7,000 gallons of gasoline and diesel fuel onto the highway. That night, about 50 residents, including Prunty, were evacuated from their homes temporarily. Nearby groundwater has shown evidence of contamination, said Donald Edge, a Virginia Department of Environmental Quality case manager. However, the two closest supply wells to the tanker spill tested clean of contaminants and much of the fuel already has been removed by W.E.L Inc. DEQ plans to test more wells. â€œThere are still pockets of contamination,â€ Edge said. â€œRight now, weâ€™re done with the excavation of contaminated soil.â€ As the cleanup continues, the Virginia Department of Transportation will determine what repairs need to be done to that stretch of road.

# MISCELLANEOUS

## **BNA DAILY ENVIRONMENT REPORT**

From Early Bird Special Report: Coal-Fired Power Plants at a Crossroads Coal-fired power plants are at a crossroads. Utilities are facing economic and regulatory pressures that make it nearly impossible for some of the oldest coal plants to continue operating, and it remains an open question whether any new coal-fired units will be built. The pressure is coming from the domestic boom in low-cost natural gas tied to hydraulic fracturing and from a series of environmental regulations that will require coal-fired utilities to make substantial investments in pollution controls. BNA begins a five-part series today that looks at the state of coal-fired power, the economic and regulatory influences on the electricity sector, and the future for coal.

From Early Bird D.C. Circuit Upholds Opt-Out Provision in EPA Lead Paint Rule A federal appeals court upholds EPA's authority to remove a provision from its lead-based paint renovation rule that had allowed contractors to opt out of certain protections against lead exposure. The National Association of Home Builders and other groups had argued before the U.S. Court of Appeals for the District of Columbia Circuit that EPA removed the opt-out provision from the rule without relying on new data or experience to indicate stricter lead exposure protections were required during home renovations

From Early Bird EPA Describes How Green Infrastructure Can Be Used in Discharge Permits The Environmental Protection Agency has released a series of documents that describe how green infrastructure techniques to manage stormwater and combined sewer overflows can be incorporated into discharge permits, plans for combined sewer overflows, and enforcement actions under the Clean Water Act. The agency has issued fact sheets describing how green infrastructure techniques, which can vary from building rain gardens to establishing urban wetlands, should be incorporated into National Pollutant Discharge Elimination System permits for stormwater and wastewater discharges and combined sewer and sanitary sewer overflows.

The agency also has issued documents to describe how green infrastructure techniques can be used to write total maximum daily load plans and to develop water quality standards.

In addition, EPA also has issued supplements for enforcement officials describing how to incorporate the use of such techniques into consent decrees.

## **ASSOCIATED PRESS**

From Early Bird Sea rising faster on East Coast than rest of globe WASHINGTON -- From Cape Hatteras, N.C., to just north of Boston, sea levels are rising much faster than they are around the globe, putting one of the world's most costly coasts in danger of flooding, government researchers report. U.S. Geological Survey scientists call the 600-mile swath a "hot spot" for climbing sea levels caused by global warming. Along the region, the Atlantic Ocean is rising at an annual rate three times to four times faster than the global average since 1990, according to the study published Sunday in the journal *Nature Climate Change*. It's not just a faster rate, but at a faster pace, like a car on a highway "jamming on the accelerator," said the study's lead author, Asbury Sallenger Jr., an oceanographer at the agency. He looked at sea levels starting in 1950, and noticed a change beginning in 1990. Since then, sea levels have gone up globally about 2 inches. But in Norfolk, Va., where officials are scrambling to fight more frequent flooding, sea level has jumped a total of 4.8 inches, the research showed. For Philadelphia, levels went up 3.7 inches, and in New York City, it was 2.8 inches. Climate change pushes up sea levels by melting ice sheets in Greenland and west Antarctica, and because warmer water expands. Computer models long have projected higher levels along parts of the East Coast because of changes in ocean currents from global warming, but this is the first study to show that's already happened. By 2100, scientists and computer models estimate that sea levels globally could rise as much as 3.3 feet. The accelerated rate along the East Coast could add about 8 inches to 11 inches more, Sallenger said. "Where that kind of thing becomes important is during a storm," Sallenger said. That's when it can damage buildings and erode coastlines. On the West Coast, a National Research Council report released Friday projects an average 3-foot rise in sea level in California by the year 2100, and 2 feet in Oregon and Washington. The land mass north of the San Andreas Fault is expected to rise, offsetting the rising sea level in those two states.



## **POLITICO**

From Early Bird EPA wears the bull's-eye (June 20) This election year the EPA is toxic. The Senate is voting on whether EPA planes can take pictures of farms “after it was mistakenly reported that drones were flying over the heartland. House Republicans want to cut the agency's funding to pre-1998 levels. And the president has threatened to veto a House bill, due up Wednesday, that would restrict Clean Air Act rules. Oh, and there were at least 10 “count 'em 10” Capitol Hill hearings and markups on environmental matters Tuesday. Forget drones, EPA could use a missile shield. This week is just the latest round of a Republican attack that has forced the White House to hold back on new environmental regulations, lawmakers say “at least for now. “They have slowed down some of that stuff, but it's only until after the election,” Rep. Mike Simpson (R-Idaho) said. “After that, it's going to be scary.” Even some Democrats say the White House has responded to political reality in slowing down environmental regulations. “The unrelenting attacks by the Republicans on environmental protection, I think, have caused people in the administration to be careful to pick their fights,” said California Rep. Henry Waxman, the top Democrat on the House Energy and Commerce Committee. To Republicans, the agency is the very embodiment of what they see as the worst of President Barack Obama and, as they see it, his liberal policies: big government reaching into the minutia of businesses. And the drone rumor follows a list of other strange accusations plaguing the agency this year, like talk that it would start regulating farm dust (which it had no plans to do) and spilled milk (a trumped up version of reality).

## **SCIENTIFIC AMERICAN**

If Natural Gas is Less Noxious than Coal, Don't We Have to Frack?

Opinions are my stock-in-trade. Early in my career, I pretended to be objective, but as time went on I thought it would be more fun telling readers exactly what I think about psychiatric drugs, “progress” in psychology, multiverse “theories”, war-is-in-our-genes malarkey, free will and so on. I get frustrated when I just can't make up my mind about an important issue. Like fracking. Coverage of fracking—which *Scientific American's* Mark Fischetti has been helpfully compiling since April—leaves me feeling whipsawed. *The New York Times* recently cited forecasts that by 2035 the natural-gas industry could employ 2.4 million people and generate more than \$1 trillion in tax and licensing revenues. That sounds good, right? But the same article detailed how fracking operations are threatening the health and sanity of some inhabitants of Western Pennsylvania, which has been called “America's new energy capital.” A group at Yale estimates that the economic benefits of fracking to the U.S. economy—which in 2010 came to \$100 billion—outweigh the environmental costs by 400 to one.

## **EARTH TALK**

EarthTalk: Who are the "Clean Air Ambassadors?"

Clean Air Ambassadors are everyday folks from across the U.S. who have committed to speaking up for everyone's right to breathe clean, healthy air. The effort is part of the “50 States United for Healthy Air” campaign, a joint endeavor of Earthjustice, the American Nurses Association, the Hip Hop Caucus, the National Council of Churches and Physicians for Social Responsibility. In the spring of 2011 these Ambassadors—people from all 50 states and every walk of life—convened in Washington, D.C. to ask members of Congress, leaders at the U.S. Environmental Protection Agency (EPA) and high-ranking officials in the Obama administration for stronger protections against air pollution.

## **FUEL FIX**

Coal-plant plunge threatens billions in pollution spending The coal-fired power industry in the U.S. is facing the biggest plunge in asset values in a decade, risking billions of dollars in pollution-control spending by utilities such as Exelon Corp. (EXC) and American Electric Power Co. (AEP). An indication of how much new emissions rules and cheaper natural gas have hammered the value of coal-burning generation will come when Exelon announces the results of the first big sale of U.S. coal-fired power plants in four years. Exelon, the largest U.S. power company, may have to take a 40 percent discount for three Maryland plants it's seeking to sell by the end of August. Bidders including NRG Energy Inc. (NRG) have offered \$600 million to \$700 million for the units, which have a fair value of \$1 billion, said Travis Miller, Chicago-based director of utilities research for Morningstar Inc. “This is going to be the first meaningful transaction for coal assets since the downturn,” Julien Dumoulin-Smith, a New York-based analyst with UBS AG, said in a phone interview. “You can get a little anxious about what the repercussions are.” Constellation Energy Group, which Exelon bought this year, spent \$1 billion on the plants to keep them in compliance with pollution rules. Their

sale, the biggest since 2008, comes in an era of more stringent pollution rules and competition from facilities burning gas, a fuel cost that is near 10-year lows. The transaction may help American Electric, GenOn Energy Inc. (GEN) and FirstEnergy Corp. (FE) determine whether the cost of added pollution controls to keep coal plants operating is worth it. U.S. utilities are switching to burning gas for electricity and preparing to retire 33,000 megawatts of coal-fired generation after the U.S. Environmental Protection Agency tightened rules for mercury and other toxins, Dumoulin-Smith said.

## **ASSOCIATED PRESS**

Court: Can EPA regulate mud from logging roads?

WASHINGTON (AP) - The Supreme Court is getting down in the mud. The justices said Monday they will hear an appeal of a federal court ruling that declared mud washing off logging roads is pollution. The federal appeals court in San Francisco ordered the Environmental Protection Agency to write regulations to reduce the amount of runoff from logging roads that reaches salmon streams. Oregon and the timber industry filed separate appeals challenging the court ruling. The Obama administration agreed with the challengers that the appeals court erred in its ruling. But it urged the high court to stay out of the case because Congress and the Environmental Protection Agency already are taking steps to address the appeals court ruling.

## **ESSENTIAL PUBLIC RADIO**

A Biography of Methane Coal, oil, and natural gas are all fossil fuels, but they have different origins. Coal mainly comes from plants that grew on land and died long ago. The source for oil and methane — the main ingredient of natural gas — is something else. But they all more or less have a fairly common origin in that they were once some sort of algae or some other form of sea life, like plankton for instance, that died off long ago,” said Dave Yoxtheimer, a geologist at Penn State who studies the Marcellus shale, the largest shale gas deposit in the U.S.